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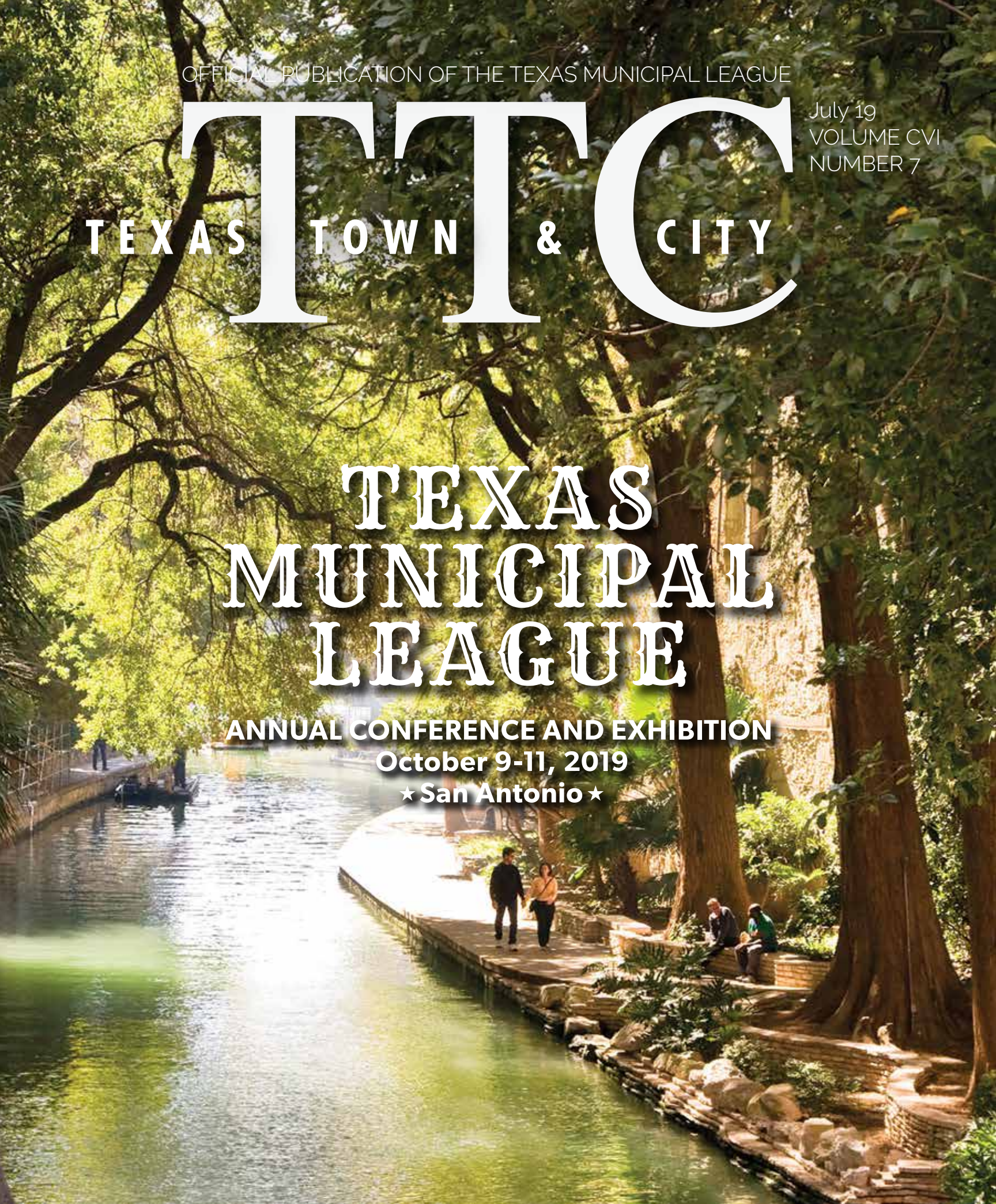
TEXAS TOWN & CITY

TEXAS MUNICIPAL LEAGUE

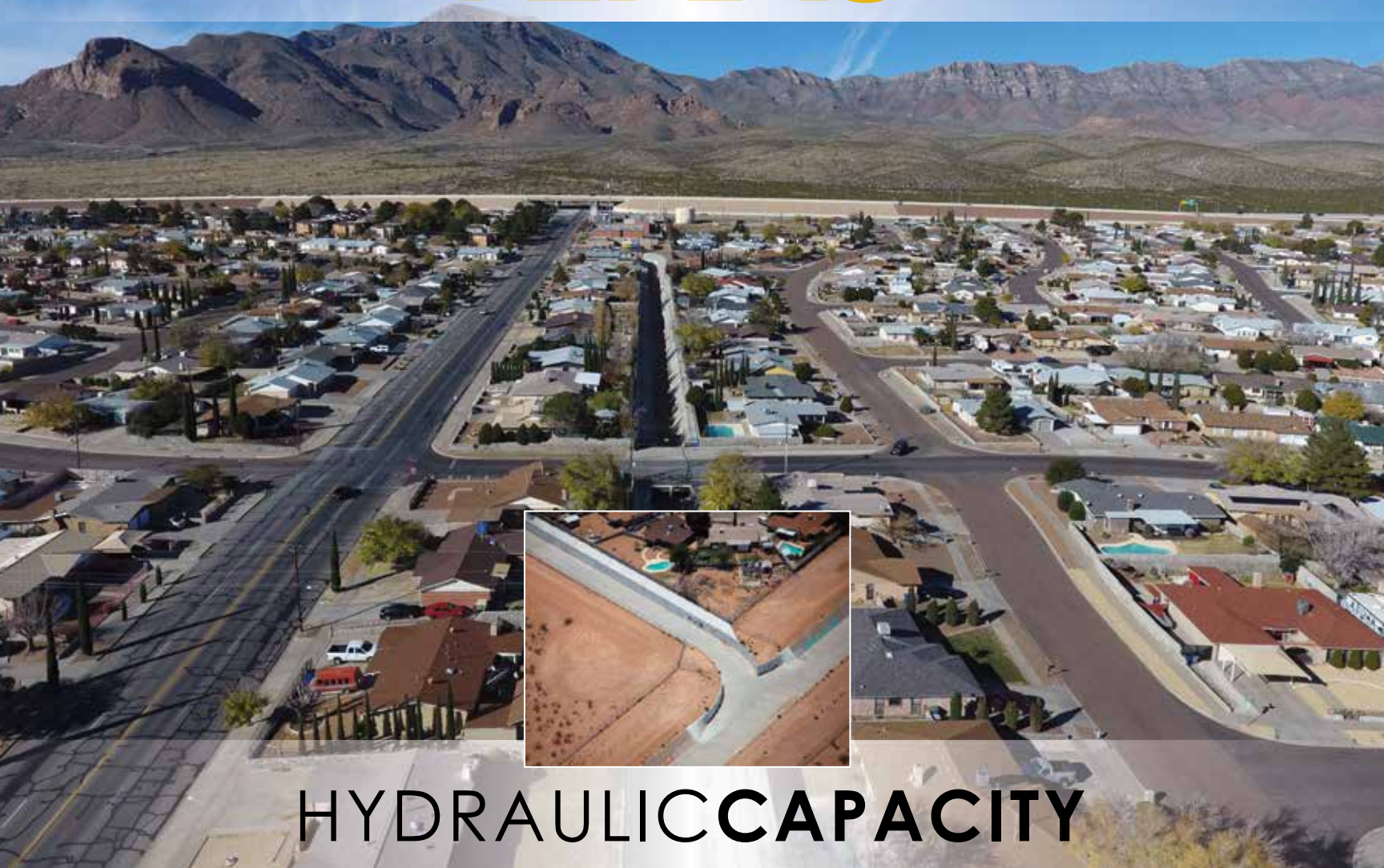
ANNUAL CONFERENCE AND EXHIBITION

October 9-11, 2019

★ San Antonio ★



ENGINEERING TEXAS

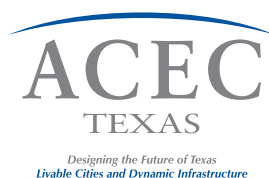


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Mr. Bennett Sandlin has entered into an agreement with Publication Printers Corp. for the printing of *Texas Town & City* magazine. Mr. Sandlin represents the member cities of the Texas Municipal League.



CONTENTS ★ FEATURES

- | | |
|--|---|
| <p>14
Preliminary Agenda for the 107th TML Annual Conference and Exhibition</p> <p>16
Frequently Asked Questions About the TML Annual Conference and Exhibition</p> <p>22
McKinney School Resource Officers Lead by Example</p> <p>26
Doing Good, Well: Practical Leadership</p> | <p>29
One Local Government's Leadership Journey</p> <p>32
Home-Grown Ethics</p> <p>36
Formation and Procedures of the Texas Municipal League Nominating Committee</p> <p>38
The Texas Association of Mayors, Councilmembers and Commissioners Board Service Information</p> |
|--|---|

CONTENTS ★ IN EACH ISSUE

- | | |
|---|--|
| <p>5
Message from the President</p> <p>6
TML News</p> <p>8
Risk Pool News</p> <p>10
City Lights</p> | <p>12
Small Cities' Corner</p> <p>18
Legal Q&A</p> <p>40
Career Builder</p> <p>42
Instagram Highlights</p> |
|---|--|



ABOUT THE COVER

Rich in history and culture, the City of San Antonio will host the 107th TML Annual Conference and Exhibition.

ABOUT ★ TML

The **Texas Municipal League** exists solely to provide services to Texas cities. Since its formation in 1913, the League's mission has remained the same: to serve the needs and advocate the interests of its members. Membership in the League is voluntary and is open to any city in Texas. From the original 14 members, TML's membership has grown to more than 1,150 cities. Over 16,000 mayors, councilmembers, city managers, city attorneys, and department heads are member officials of the League by virtue of their cities' participation.

The League provides a variety of services to its member cities. One of the principal purposes of the League is to advocate municipal interests at the state and federal levels. Among the thousands of bills introduced during each session of the Texas Legislature are hundreds of bills that would affect cities. The League, working through its Legislative Services Department, attempts to defeat detrimental city-related bills and to facilitate the passage of legislation designed to improve the ability of municipal governments to operate effectively.

The League employs full-time attorneys who are available to provide member cities with information on municipal legal matters. On a daily basis, the legal staff responds to member cities' written and oral questions on a wide variety of legal matters. The League annually conducts a variety of conferences and training seminars to enhance the knowledge and skills of municipal officials in the state. In addition, the League also publishes a variety of printed materials to assist member cities in performing their duties. The best known of these is the League's monthly magazine, *Texas Town & City*. Each issue focuses on a variety of contemporary municipal issues, including survey results to respond to member inquiries.

For additional information on any of these services, contact the

Texas Municipal League at 512-231-7400 or visit our website, www.tml.org.

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MESSAGE ★ FROM THE PRESIDENT



JOHN B. LOVE III, CMO
MAYOR PRO TEM
CITY OF MIDLAND

Dear Texas City Officials,

This issue of the *Texas Town & City* is exciting for two reasons. First, we're going to talk about leadership. This topic has been on my mind a lot lately. I recently moderated the sixth annual TML Leadership Academy in Georgetown, and the event was a huge success. If you or your employees have not benefited from this great conference you should look into it next year. Also, by the time you read this we'll have conducted a workshop on leadership in my city, Midland, a day prior to the June TML board meeting.

I urge each of you to take advantage of the League's educational offerings on leadership. It's a skill that doesn't just stay constant—you have to work at it and constantly improve.

Speaking of the education offered by the League, this month's magazine contains the first preview of some of the speakers and sessions you'll encounter at this year's conference in San Antonio. To me, the lineup looks better than ever, and I'm looking forward to visiting with many of you when we're there in October. You'll also find in this issue a FAQ about conference basics. If you've never attended the League's annual conference, this year's the time!

I'm thoroughly enjoying my year as your TML leader. Leadership is sometimes most necessary during adversity, and tough legislative sessions in Austin are the definition of adversity. I am pleased that the League takes the lead in educating and advocating for what we do for our citizens back home.

A handwritten signature in black ink that reads "John B. Love III".

John B. Love III, CMO
Mayor Pro Tem
City of Midland
TML President

Places That Inspire You Live Deep in the Heart

Deep in the heart of Texas, San Antonio's bold spirit and historic legacies make it a gateway to the region's culture and beauty. Varied cuisines fill the air with aromas of spices and fresh cilantro. Music flourishes, and art comes alive with murals, gardens, and architecture. San Antonio is home to a welcoming people—the most artful product of this culture.

Join us in this welcoming city on October 9-11 for the Texas Municipal League Annual Conference and Exhibition at the Henry B. González Convention Center by the River Walk.

Attendee conference registration and housing will open on Tuesday, July 23, at 10:00 a.m. CDT and can also be accessed at www.tmlconference.org. Learn about the steps you will take to register for the conference and reserve a hotel room on pages 16-17.

The preliminary conference program is featured on pages 14-15 of this issue, and is online at www.tmlconference.org. Check the website regularly for up-to-date conference information.

Reserve Your Annual Conference Sponsorship and Advertising Space

Exhibitor booth sales for the 2019 TML Annual Conference and Exhibition kicked off with record-breaking speed in April. More than 300 exhibitors have signed up to display and demonstrate their products and services to city officials October 9-11 in San Antonio. We're getting ready to welcome more than 350 companies to the exhibit hall floor, with an exhibit hall that is captivating and educational for the more than 2,500 city officials attending.

In addition to exhibiting, there are sponsorship and advertising opportunities available in conjunction with the TML Annual Conference. But these opportunities will sell out early.

If your organization has a product or service that would benefit Texas cities, secure your participation and begin preparing for the face-to-face meeting opportunities that come just once a year at the TML Annual Conference. Contact Julianna Campbell at julianna@tml.org, 512-231-7400, or visit www.tml Exhibits.org for more information. ★

TML TRAINING CALENDAR JULY AND AUGUST

July 11

TML Budget and Tax Rate Workshop
San Antonio

July 18-19

TML-TAMCC Newly Elected City Officials' Orientation
Round Rock

July 31

TML Hometown Workshop: Your Legal and Ethical Role as a Community Leader
McAllen

August 1-2

TML Public Funds Investment Act Training
McAllen

August 6-9

Building Officials Association of Texas Annual Conference
Montgomery

August 15-16

TML-TAMCC Newly Elected City Officials' Orientation
San Antonio



TML Newly Elected City Officials' Conference

You've got questions...we've got answers.

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You'll be headed to City Hall soon...let us help you prepare.**



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**July 18-19 • Round Rock
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www.newlyelectedofficials.org

Public Entity Risk Pools – Partnerships Dedicated to Public Service

HISTORY AND CURRENT STATUS OF POOLS

Local governments began establishing risk pools in the 1970s in response to commercial insurance carriers abandoning the municipal market. Today, about 450 risk pools serve local governments of all kinds, including municipalities, school districts, and counties. The Association of Government Risk Pools (AGRiP) estimates that out of the more than 90,000 public entities in the United States, at least 80 percent of them participate in one or more risk pools. One of the very first public entity risk pools to be established was the Texas workers' compensation pool.

PUBLIC SERVICE AS A MISSION

Risk pools are partnerships dedicated to public service. Risk pools are not-for-profit, member-driven public organizations that function either formally or culturally as an extension of their public entity members. Risk pools exist for the primary purpose of managing and reducing underlying risks to the benefit of public entity members and the public at large, whereas private insurers exist to finance losses. Public risk pools are collaborating partners that help their public entity members create, foster, and manage safe environments in order to minimize personal, physical, and property damages and losses.

ADVANTAGES OF POOLS AND DIFFERENCES WITH THE PRIVATE MARKET

Self-Governance

Risk pools are governed by a board of directors comprised of appointed and elected public officials who represent the members of the risk pool. This means that the same considerations that guide and inform local government decisions guide and inform pooling decisions. Thus, every member of a public entity pool has "skin in the game," and a voice at the table. Unlike commercial insurance relationships, with risk pools, there is no body of disinterested players deciding what is right or wrong for local government pooling.

Not-For-Profit versus For-Profit

Risk pools are not driven by profit. Commercial insurance carriers use profits to measure success. Public entity risk pools provide services, coverage, and risk management with the singular mission of serving their members. Risk pools come in a variety of shapes and sizes.

Tailored Coverage

Commercial insurance carriers usually take a one-size-fits-all approach to coverage. Risk pools provide coverage that is specific to public sector activities by crafting their own coverage documents to provide members with the coverage, terms, and limits that are best suited to address unique local government needs.

Cost Savings and Stability

Because risk pools are not focused on making a profit, they are able to focus on long-term, stable pricing to match public entity budget needs. Members of risk pools value predictable, sustainable contributions for coverage year-to-year, rather than the sometimes-dramatic premium increases and decreases more common in the profit-driven commercial insurance market. Further, risk pools are often exempt from the taxes that commercial insurers pay which result in lower contributions.

Specialized, Focused Risk Management Services

Helping members manage and reduce risks is an integral part of public entity pooling. Risk pools have specialized loss control and risk management programming and staff who are solely dedicated to the important work of reducing the number and costs of claims.

MAKING LOCAL COMMUNITIES STRONGER THROUGH PARTNERSHIP

By establishing risk pools, local governments spread the risk of loss across the state, protecting individual members against large and unpredictable losses that would destabilize the finances of a single member standing alone. But, most importantly, by sharing risks and burdens, public entity risk pool members unify as a self-insurance partnership, joined and motivated by the common goal to make local communities stronger. ★

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TML Announces 2019 Leadership Fellows

The 2019 TML Leadership Academy concluded in May, graduating 68 city officials who now hold the prestigious Leadership Fellow title. TML President and City of Midland Mayor Pro Tem John B. Love III, CMO, emceed this year's training event.

Mayors, councilmembers, city managers, staff from police, fire, finance, human resources, and more from 50 different Texas cities traveled to Georgetown for the two-course, six-day training event. For some, the event was in their backyard, while others traveled more than eight hours venturing from as far as Socorro to participate.

During the April 3-5 and May 22-24 courses, participants explored their personal leadership competencies, the prin-

ciples and characteristics of ethical leadership, building trust and community, improving team-building and communication skills, and practicing negotiation and conflict resolution to improve their effectiveness as leaders.

While most Leadership Academy speakers and topics have remained unchanged since the program's launch in 2014, a handful of city officials have attended more than once. "I attended in 2017, 2018, and 2019, and witnessed first-hand how I grew," said one councilmember. City of Orange. "This Academy has brought some of the best leaders in Texas together. We must solidify these bonds as we continue to learn and grow."

Congratulations to the 2019 TML Leadership Fellows for their commitment to developing as community leaders and better serving their cities.



Photo credit: Dawn Hoover, Hondo Anvil Herald Newspaper

Hondo U Inspires Future Leaders

Hondo U is an eight-week program, hosted by the City of Hondo, which gives citizens the opportunity to learn more about their home town. Hondo U launched in the fall of 2018, congratulated its second class of graduates in spring of 2019, and will host a third class this fall.

The program was designed as a way for citizens to get more involved and get their questions answered about how things work in their local government. Each week is taught by the director of a city department, followed by a tour. This provides students with hands-on experience in city properties and functions like the library, airport, public works,

and the recreation center, as well as the ability to learn from the department heads.

Hondo U continues to be a priority for the City of Hondo. In fact, the mayor, city manager, and two councilmembers attend every class. This allows the citizens attending to meet and connect with the city officials who represent them, and learn more about their roles and responsibilities.

Citizens "get to be ambassadors for the city and perhaps join an advisory committee" said Debbie Krueger, Community Projects and Programs Coordinator. She added, "It's been so successful; I am really proud of our City."

To learn more about the program, visit https://www.hondo-tx.org/hondo_u. ★

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PROFILE IN PUBLIC SERVICE:

WALTER BOWEN, MAYOR, CITY OF LAKE WORTH

Interview by: **Jacqueline Redin**

TML Assistant Director of Member Services

Lake Worth, a small city of 5,000 residents in Tarrant County, is home to life-long resident Mayor Walter Bowen. Bowen began his long-standing public service career as a volunteer firefighter, where he served more than 12 years. He then made the jump to elected office in the 1970s. Since then, his dedication to his City, other small cities, and the Texas Municipal League (TML) has continued to grow.

Bowen has served on the TML Board of Directors, as a president to TML Region 8, on numerous committees, and more. He is a member of the TML Small Cities Advisory Council (SCAC) where he currently serves as chairman. As a long-time advocate for small cities and a member of the SCAC, Bowen is able to exercise his passion to serve his city alongside other small community leaders throughout Texas.

Jacqueline Redin: How long have you been in city government?

Walter Bowen: I've been in city government since 1971 and have been an elected city official all those 48 years except one. I've been mayor since 1995.

JR: Why did you get into city government?

WB: I started in public service as a volunteer firefighter in Lake Worth. There was a need to serve, so I ran for city council. I grew up in Lake Worth and wanted to serve my community.

JR: What is one of the funniest or strangest things that has happened to you as an elected official?

WB: I once went to the junior high school career day to talk about being mayor. There was a young man who said, "Mayor Bowen, thank you for coming to tell us about being mayor, but I think I will go to college for four years instead."

JR: What exciting things are going on in Lake Worth?

WB: We are a two-and-a-half square mile city and are pretty much 95 percent developed with one track of land left. We are working with a developer on that, and it's a long process. We are focusing on maintaining the services we have at this point. Infrastructure is our biggest emphasis right now.

Our city is blessed to have large retail and commercial development the past several years and has added over 1.1 million square feet of space with an occupancy rate in excess of 96 percent.

JR: What are some of the best things about your city?

WB: It's a small city. Growing up there, I know a lot of the people. I often get to work with the high school and meet with the school board president. It's a small town atmosphere even though we have a lot of retail and commercial development.

JR: What do you see as the biggest issue facing local city officials?

WB: In small towns, the biggest issue is money; the issue of being able to have money for comprehensive plans and infrastructure improvements. To be honest, there really isn't a great solution. If you don't have the money, you just don't have the money. You have to trust your administration and your council to do the best they can with what they have.

JR: You are currently serving as the TML Small Cities Advisory Council (SCAC) chair. Tell me what this opportunity means to you.

WB: I want my city to be represented. I think most of us on the SCAC want to represent our cities. There is a sense of pride, and the opportunity to meet with leaders from other small cities is incredible. Also, the programs that TML and SCAC come up with are unbelievable. I'm probably one of the strongest supporters of TML.

The SCAC provides opportunities for small cities to come together and be comfortable in a meeting where they can ask questions that they might be apprehensive to ask in a larger setting. There is a comfort level for those elected officials and staff members.

JR: Why is continuing education important?

WB: Education is important to keep your city out of trouble - not get your staff in trouble, not get yourself in trouble, and not get anyone in trouble period. Education is always important, but being in the public eye makes it essential. I encourage all city officials to take advantage of training opportunities.

JR: What is a motto that inspires you?

WB: There is a phrase I saw a long time ago by Sam Houston, which is "govern as much as necessary but as little as possible." I've always liked that and try to live by that, and our council does as well.

JR: How do you like to spend your time outside city government?

WB: I love Friday Night Lights. We are home to the Lake Worth High School Bullfrogs, which are the only bullfrogs in the State of Texas.

My wife and I used to travel. Favorite places we visited are Norway, Denmark, and Australia. We've had three exchange students over the years - two from Norway and one from Denmark.

JR: What is your favorite movie and song, and why?

WB: My favorite movie is Shenandoah with James Stewart. The movie sticks in my mind and the music is beautiful. I listen to a lot of 1950s music, and my favorite song is actually the theme from "A Summer Place." It puts me back in high school, dancing. It's a good movie too!

JR: Anything else you'd like to add?

WB: Local control is very important, especially in smaller cities. As they say in Texas, one size doesn't fit all. What works for Lake Worth, may not work for another city and vice versa.

Additionally, I would like to thank the City of Lake Worth for allowing me the opportunity to represent our city statewide through TML. I would also like to thank TML for all the resources they provide for Texas cities. ★

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TEXAS MUNICIPAL LEAGUE



ANNUAL CONFERENCE AND EXHIBITION
October 9-11, 2019
★ San Antonio ★

PRELIMINARY AGENDA FOR THE 107TH TML ANNUAL CONFERENCE AND EXHIBITION

All conference events will be held at the Henry B. González Convention Center unless otherwise noted. Conference information will be updated as program details are added. Check the conference website at www.tmlconference.org often for the most current information.

Tuesday, October 8

1:00-5:00 p.m.
Registration

2:00 p.m.
TML Board of Directors Meeting

Wednesday, October 9

7:30 a.m.-5:00 p.m.

Attendee Registration

9:00 a.m.-4:00 p.m.

TML Guest Hospitality Suite Open

10:30 a.m.-Noon

**Opening General Session
and Presentation of Awards**
**Lifescape: Escape from
Distractions to Live a
Better Life**

Brian Solis, Digital
Anthropologist, Futurist,
and Thought Leader



Noon-5:00 p.m.

Exhibit Hall Grand Opening

2:00-3:15 p.m.

Concurrent Sessions

3:30-4:45 p.m.

Concurrent Sessions

4:45 p.m.

TAMCC Board Meeting

Thursday, October 10

7:30-8:45 a.m.

TML Health and Risk Pools' Breakfast
(separate ticketed event at no charge)

7:30 a.m.-5:00 p.m.

Attendee Registration

8:00 a.m.-4:00 p.m.
Exhibit Hall

8:00-9:00 a.m.
Continental Breakfast in the Exhibit Hall

8:00-11:45 a.m.
Affiliates' Board, Business, or Educational Sessions

9:00 a.m.-4:00 p.m.
TML Guest Hospitality Suite

9:00-10:15 a.m.
Concurrent Sessions

10:30-11:45 a.m.
Concurrent Sessions

Noon-1:30 p.m.
Luncheon and Keynote Speaker (separate ticketed event) *Normal Is Overrated – Aim Higher!* Bonnie St. John, Olympic Medalist and Best-Selling Author



Friday, October 11

7:30-10:30 a.m.
Attendee Registration

8:00-10:30 a.m.
Exhibit Hall Open

8:00-9:00 a.m.
Continental Breakfast in the Exhibit Hall

9:00-10:30 a.m.
Affiliates' Board, Business, or Educational Sessions

9:00-10:15 a.m.
Concurrent Sessions

10:30-Noon
Closing Brunch and Keynote Speaker (separate ticketed event) *A Conversation About the Future of Texas Cities* Evan Smith, CEO and Co-Founder, *The Texas Tribune*



2:00-3:15 p.m.
Concurrent Sessions

2:00-5:00 p.m.
Affiliates' Board, Business, or Educational Sessions

3:30 p.m.
TML Business Meeting

TEXAS MUNICIPAL LEAGUE



ANNUAL CONFERENCE AND EXHIBITION
October 9-11, 2019
★ San Antonio ★

FREQUENTLY ASKED QUESTIONS ABOUT THE TML ANNUAL CONFERENCE AND EXHIBITION

WHEN AND WHERE IS THE TML ANNUAL CONFERENCE?

The TML Annual Conference and Exhibition will take place October 9-11 at the Henry B. González Convention Center. The center is located at 900 E. Market Street, San Antonio, Texas, 78025.

WHEN WILL PROGRAM INFORMATION BE AVAILABLE?

The preliminary TML Annual Conference program can be viewed at www.tmlconference.org. Check the website often for the most current information. You can also follow us on Twitter and like us on Facebook for news and updates.

WHAT IS THE ATTENDEE CANCELLATION POLICY FOR THE CONFERENCE REGISTRATION?

If you are registered and cannot attend, we encourage you to send a substitute. If you cannot send a substitute, TML will provide a refund, minus a \$75 cancellation fee,

upon receipt of your written cancellation notice. Please send your cancellation notice via email to acct@tml.org by August 23. No exceptions will be made and meal tickets are nonrefundable.

Important Note: Canceling your conference registration does not automatically cancel your hotel reservations. You must cancel hotel reservations separately.

WHAT IF I CAN ONLY ATTEND ONE DAY?

TML offers a one-day conference registration. Register online or via the mail-in registration form.

WILL SPEAKER HANDOUTS BE AVAILABLE?

Concurrent session handouts received by TML prior to the conference will be posted to the conference website and conference app as they are received.

WHERE SHOULD I PARK?

There are several parking garages located near the Henry B. González Convention Center. For a complete list of options, visit www.sahbgcc.com/Visit-Us/Location-Directions-Parking.

WILL TML PROVIDE SHUTTLE BUSES FROM THE CONFERENCE HOTELS TO THE CONVENTION CENTER?

TML shuttle service will be provided to and from conference hotels located more than three blocks from the Henry B. González Convention Center, and will be available during the following times:

TUESDAY, OCTOBER 8

12:30-5:30 p.m.

WEDNESDAY, OCTOBER 9

7:00 a.m.-5:30 p.m.

THURSDAY, OCTOBER 10

7:00 a.m.-6:30 p.m.

FRIDAY, OCTOBER 11

7:00 a.m.-1:00 p.m.

ARE THERE OTHER TRANSPORTATION OPTIONS?

You bet! San Antonio offers multiple transportation options to get around easily including shuttles, taxis, local transportation service, bike sharing, and additional ground transportation choices. For more information, visit www.sahbgcc.com/Visit-Us/Explore-San-Antonio.

CAN I EARN TMLI CREDITS FOR ATTENDING THE CONFERENCE?

If you are an elected city official participating in the TMLI program, you can earn Continuing Education Units (CEUs) for attending the TML Annual Conference and Exhibition. CEU forms will be available on the conference website and at the information tables. If you have questions about the TMLI program, please email tml@tml.org or call 512-231-7400.

HOW CAN I BECOME AN EXHIBITOR?

To reserve your exhibit space at the 2019 TML Annual Conference and Exhibition, visit www.tmllexhibits.org.

HOW CAN I BECOME A SPONSOR?

To learn more about sponsorship, visit www.tmlsponsors.org.

TML GUEST HOSPITALITY SUITE

The TML Guest Hospitality Suite will be open Wednesday, October 9, and Thursday, October 10, from 9:00 a.m.-4:00 p.m. Shop for jewelry, purses,

and skin care products; relax with a chair massage; and enjoy light refreshments.

SPECIAL ACCOMMODATIONS

If you require assistance of any kind, including dietary restrictions (such as allergies or sensitivities to particular ingredients), mobility, audio or visual aids, or other assistance, please contact TML at training@tml.org. Please note that individuals with special dietary needs will be responsible for the actual cost of the restricted meal if it exceeds the ticketed meal cost.

RESOLUTIONS

Resolutions for consideration by TML member cities at the TML Business Meeting on Thursday, October 10, will be available on the TML website well in advance of the meeting. (The TML board voted to recommend to the membership that the Resolutions Committee be eliminated for 2019 and beyond. From now on, resolutions will be submitted directly to the membership at the TML business meeting.)

In accordance with the TML Constitution, no resolution shall be eligible to be considered at the Business Meeting unless: (1) the same has been submitted at least 45 full calendar days prior to the first day of the Annual Conference; or (2) there is a two-thirds vote of the cities represented at the business meeting in favor of suspending the timely submission rule. ★

REGISTRATION AND HOUSING FOR THE TML ANNUAL CONFERENCE

Conference registration and housing for attendees will open on **Tuesday, July 23 at 10:00 a.m. CDT** at www.tmlconference.org.

Follow these simple steps to register for the conference and reserve your sleeping room:

- Find your member ID at <http://members.tml.org/web/Online/MemberIDSearch.aspx>.
- From the TML Annual Conference and Exhibition website, go to the registration tab.
- Using your member ID, register as a conference attendee.

Once you register, you will see the link to be directed from the conference registration page to the hotel reservation system. *(Only registered conference attendees can link to reserve guest rooms in conference hotels.)*

TEXAS MUNICIPAL LEAGUE





Q What are the residency requirements for running for or appointment to an elective city office?

A Generally, in order to be eligible to run for an elective city office, an individual must have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the date of the regular filing deadline for an application for a place on the ballot. Tex. Elec. Code §1.005(g); §141.001(a)(5)(B). A write-in

candidate must have resided continuously in the territory from which the office is elected for six months immediately preceding the date of the election. *Id.* §141.001(a)(5)(C). An appointee to an elective office must have resided continuously in the state for 12 months and in territory from which the office is elected for six months immediately preceding the date the appointment is made. *Id.* §141.001(a)(5)(E).

H.B. 831, adopted during the 2019 legislative session, provides that for the purpose of satisfying the continuous residency requirement, a person who claims an intent to return to a resi-

dence after a temporary absence may establish that intent only if the person: (1) has made a reasonable and substantive attempt to effectuate that intent; and (2) has a legal right and the practicable ability to return to the residence. However, the requirements of this bill do not apply to a person displaced from the person's residence due to a declared local, state or national disaster. H.B. 831 will take effect on January 1, 2020.

A home rule city may provide for different residence requirements in its charter, provided that the minimum length of residence in the state or city

limits may not exceed more than 12 months immediately preceding election day. Tex. Elec. Code §141.003.

Type A and Type B general law cities have different residency requirements. *Id.* §141.001(b) (“[a] statute outside [the Election Code] supersedes [Section 141.001(a)] to the extent of any conflict.”). To be eligible for the office of mayor of a Type A general law city, an individual must have resided within the city limits for at least 12 months preceding the election date. Tex. Local Gov’t Code §22.032(a). In addition to continuously residing in the territory from which the individual is elected for at least six months before the application filing deadline, a candidate for the office of alderman of a Type A general law city must also reside in the ward from which the person may be elected on election day. See *id.* §22.032(b); *Brown v. Patterson*, 609 S.W. 2d 287 (Tex. App.—Dallas Nov. 20, 1980) (finding no conflict between a specific statute requiring residency in a school district and the Election Code’s general six-month durational residence requirement) (cf. Tex. Att’y Gen. Op. No. JM-909 (1988) (finding specific statute with no in-district residency requirement supersedes Election Code’s general in-district residency requirement)).

In a Type B general law city, an individual running for any city office must have resided within the city limits for at least six months prior to election day. Tex. Local Gov’t Code §23.024.

Q How is residency for purposes of eligibility for holding an elective city office determined?

A For purposes of Texas election law, a person’s residence means a “domicile, that is, one’s home and

fixed place of habitation to which one intends to return after any temporary absence.” Tex. Elec. Code §1.015. A person neither loses his or her residence merely “by leaving the person’s home to go to another place for temporary purposes only” nor “by acquiring a residence in a place to which the person has come for temporary purposes only and without the intention of making that place the person’s home.” *Id.* §1.015(c), (d). If a person resides on property located in more than one territory, the person shall choose in which territory the residence of the person is located. *Id.* §11.001(b).

Additionally, residence in an area while the area was not a part of the city is considered as residence within the city if the area is part of the city on the date that is the basis for determining the applicable period of residence. *Id.* §141.004. The Secretary of State has determined that residency in territory afterwards annexed to a city that otherwise complies with the residency requirements of the Election Code is deemed residence within the city for the purpose of computing the period residence necessary to make one eligible to hold city office. See Tex. Sec’y State Op. No. DAD-5 (1982).

A person’s residence is determined in accordance with the common-law rules, as articulated by Texas courts, unless those rules are in conflict with the Election Code. Tex. Elec. Code §1.015(b). The courts have determined that term “residency” is an elastic one and is extremely difficult to define. See *Mills v. Bartlett*, 377 S.W. 2d 636, 637 (Tex. 1964). Residency depends upon the circumstances surrounding the person involved and largely depends upon an individual’s present intentions. *Id.* Accordingly, volition, intention, and action are factors to consider in determining where a

person resides and such factors are equally pertinent in denoting a person’s permanent residence or domicile. *Id.* Additionally, only a court can make a ruling on whether a person has satisfied the residency requirements. See *State v. Fischer*, 769 S.W. 2d 619 (Tex. App.—Corpus Christi March 23, 1989, reh’g denied).

The city secretary or other authority with whom an application is filed in a home rule city is charged with administratively determining whether an application for a place on the ballot complies with the requirements as to form, content, and procedure. Tex. Elec. Code §§143.006 and 141.032. A candidate can be administratively declared ineligible only if: (1) the information on the candidate’s application for a place on the ballot indicates that the candidate is ineligible for the office; or (2) the facts indicating that the candidate is ineligible are conclusively established by another public record. *Id.* §145.003(f)(1). Notwithstanding these provisions, courts have determined that residency cannot be conclusively established or disapproved by one fact or assertion and no one public record conclusively establishes residency. See *Texas Democratic Party v. Benkiser*, 459 F.3d 582, 593 (5th Cir. 2006); *In re Jackson*, 14 S.W.3d 843, 848-49 (Tex. App.—Waco 2000, no pet.); *State v. Fischer*, 769 S.W. 2d 619 (Tex. App.—Corpus-Christi 1989). As such, a city secretary or other city official reviewing an application for a place on the ballot should generally accept the information on the face of the application, and if questions regarding residency arise, the city official should seek the guidance of the city attorney.

Q Is an application for a place on the ballot releasable to the public upon filing?

A An application for a place on the ballot, including any accompanying petition, is an election record and becomes public information immediately upon its filing. Tex. Elec. Code §1.012(d)(3); §141.035. However, the release to the public of an election record is subject to the Texas Public Information (the "Act"). *Id.* §1.012(c). This means that an application for a place on the ballot may not be released to the public in its entirety if the Act otherwise prohibits the disclosure of certain information contained therein. For example, under the Act, the home address and the home telephone number of a current or former city official or employee who has requested that this information be kept confidential may not be disclosed to the public. See Tex. Gov't Code 552.117; see e.g. Tex. Att'y Gen. Op. OR2007-14243. Additionally, dates of birth are considered confidential under Section 552.101 of the Government Code. See e.g. Tex. Att'y Gen. Op. OR2018-28753. Similarly, certain private e-mail addresses are deemed confidential under Section 552.137 of the Government Code. A city official who has questions about whether information contained in the application for a place on the ballot is releasable to the public should consult with the city attorney.

Q **May an individual run for or be appointed to an elective city office if the individual's spouse or close relative is currently a paid employee of the city?**

A Yes. Nepotism law does not prohibit an individual from running for or being considered for appointment to an elective city office if the individual's spouse or close relative is currently an employee of the city. However, if the individual is elected, the employee must resign before the individu-

al can be qualified for office unless the employee has been continuously employed by the city for at least six months before the elected official is sworn in and qualified for office. Tex. Gov't Code §573.062(a); see *Bean v. State*, 691 S.W. 2d 773, 775 (Tex. App.—El Paso May 8, 1985). Additionally, before an individual may be appointed to an elective city office, the city employee to whom the individual is related in a prohibited degree must have continuously been employed by the city for at least 30 days before the individual may be appointed. Tex. Gov't Code §573.062(a). For purposes of nepotism, prior continuous employment means immediately prior and uninterrupted employment. See Tex. Att'y Gen. Op. Nos. GA-1024 (2013); JC-442 (2001); and JC-0185 (2000).

If the city employee qualifies to continue in his or her employment with the city, the elected or appointed official to whom the city employee is related in a prohibited degree may not participate in any deliberation or voting on the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of the city employee if that action apply only to that particular city employee and is not taken regarding a class or category of city employees. Tex. Gov't Code §573.062(b). Thus, an elected or appointed member of the governing body may not participate or vote on the relative's employment status or compensation if that action only applies to the relative, but he or she may participate if the action is taken regarding a bona fide class or category of employees.

Additionally, a candidate is prohibited from taking any affirmative action to influence an employee of the city, an employee of the office to which the

candidate seeks to be elected, or an officer of the governmental body to which the candidate seeks to be elected to employ or otherwise affect the employment status or compensation of an individual whoa is related to the candidate within a prohibited degree. *Id.* §573.042(a). This prohibition does not apply to a candidate's actions taken regarding a bona fide class or category of employees or prospective employees. *Id.* §573.042(b).

Q **May an individual run for or be appointed to city office if the individual's spouse or close relative is also running or currently serving on city council?**

A Yes. Nepotism does not prohibit individuals who are related to one another from running or serving together on city council.

Q **What is the difference between a "majority" vote and a "plurality" vote with regards to a city election?**

A In an election that requires a majority vote, a candidate for a particular office must receive more than 50 percent of the votes cast for that office. Tex. Elec. Code §2.021. A majority vote is required in the following three instances: (1) elections in a city with a population of 200,000 or more (Tex. Elec. Code §275.002); (2) an election for the members of a governing body in a city that has increased the terms of office for its elected officials to more than two years (Tex. Const. Art. XI, §11); and (3) a home rule city with a charter provision requiring a majority vote (Tex. Const. Art. XI, §11). If no candidate receives the vote necessary to be elected to a particular office in an

election requiring a majority vote, a runoff between the two candidates with the highest number of votes in that particular race is required. *Id.* §2.021.

In all cities except those described above, candidates are elected by plurality vote. This means that a candidate for a particular office must receive more votes than any other candidate running for that office. *Id.* §2.001. No runoff election is required in an election that requires a plurality vote unless two or more candidates for the same office tie for the number of votes required to be elected. *Id.* §2.002(a). A runoff election is not required if the tying candidates agree to cast lots to resolve the tie or a tying candidate files a written, signed, and acknowledged statement of withdrawal. *Id.* §2.002(f) and (g).

Q When can a newly elected city official assume the duties of office?

A Generally, a newly elected city officer can begin to perform the duties of the office that the officer is elected to anytime following the canvass of the election results and after qualifying for office. A city is required to canvass the results of an election in an open meeting of the governing body; but, only two officers of the governing body are required to be present in order to conduct the canvass. Tex. Elec. Code §§67.003(b) and 67.004(a). Once the canvass is complete, a newly elected officer may then qualify for office by: (1) the presiding officer of the governing body issuing such officer a certificate of election (Tex. Elec. Code §67.016); (2) signing the statement of officer (Tex. Const. Art. XVI, §1(b)); and (3) taking the oath of office (Tex. Const. Art. XVI, §1(a)). The governing body of a Type A general law city may, by ordinance, require a municipal officer to take any additional oath that the governing body considers is best calculated to secure the faithful performance of the officer's duties. Tex. Local Gov't Code §22.005(b).

In a Type A general law city, a newly elected officer may not assume the duties of the office until the fifth day after the date of the election, excluding Sundays. *Id.* §22.006. Additionally, on the fifth day after the date of the election, excluding Sundays, or as soon as possible after the fifth day, the newly elected governing body of a Type A general law city must meet at the usual meeting place and be installed. *Id.* §22.036. If a newly elected officer in a Type A general law city fails to qualify for office within 30 days after the officer's election, the office is considered vacant. *Id.* §22.007.

Additionally, before an elected or appointed marshal in a Type B general law city may begin to perform the duties of the office of marshal, the marshal must execute a bond within five days after the date the marshal is elected or appointed. *Id.* §23.024(b). If the marshal fails to execute the bond within the prescribed time frame, the governing body may appoint another person to the office. *Id.* §23.024.

Further, an unopposed candidate who is declared elected shall be issued a certificate of election in the same manner and at the same time as provided for a candidate at the election. Tex. Elec. Code §2.053(e). The candidate also must qualify for office in the same manner as provided for a candidate elected at the election. *Id.* This means that an unopposed candidate who is declared elected may not qualify for office until after the results of the election would have been canvassed if the election had taken place. ★



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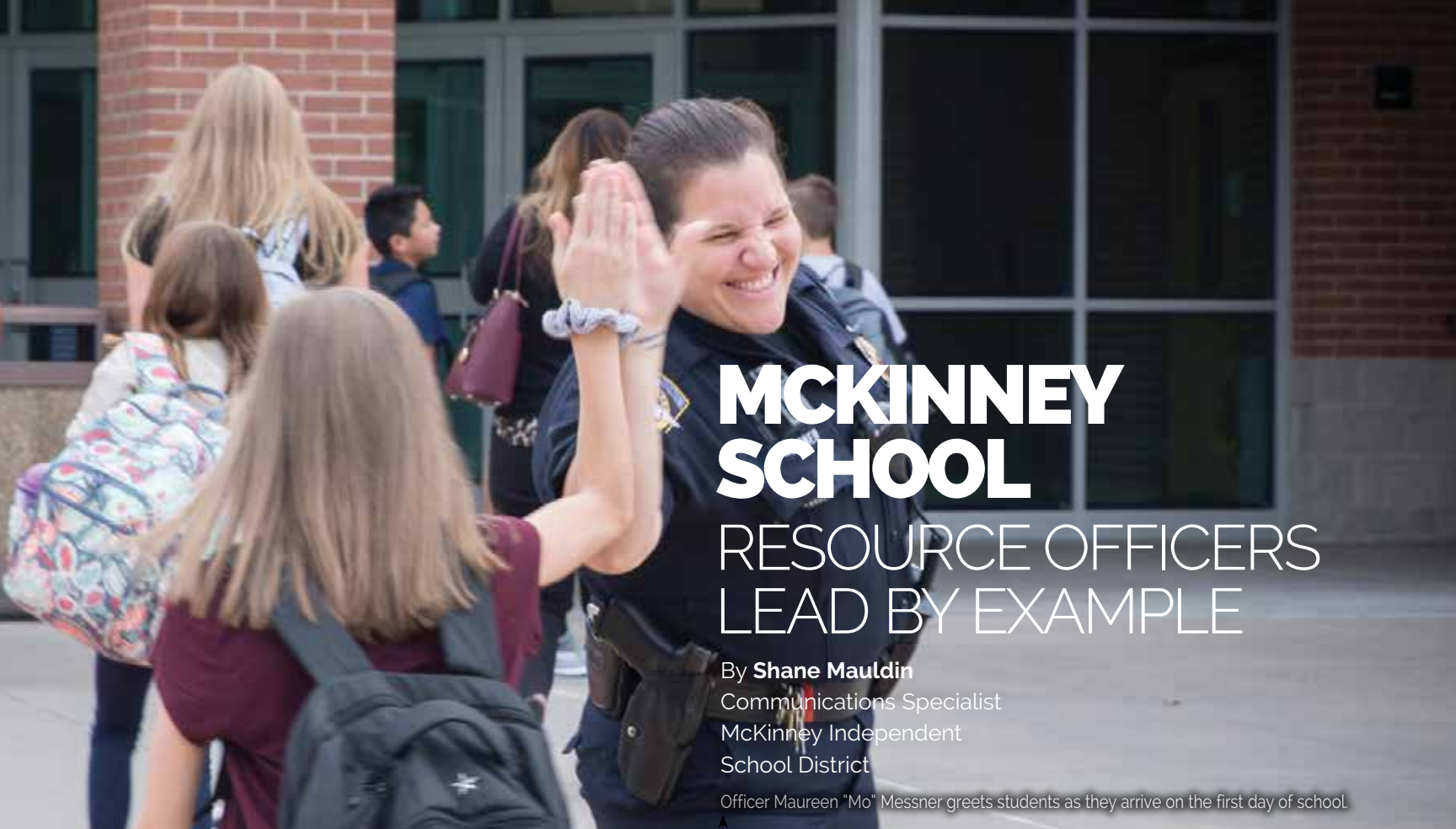
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MCKINNEY SCHOOL RESOURCE OFFICERS LEAD BY EXAMPLE

By **Shane Mauldin**
Communications Specialist
McKinney Independent
School District

Officer Maureen "Mo" Messner greets students as they arrive on the first day of school.

The McKinney Independent School District (MISD) School Resource Officer program, a partnership between MISD and the McKinney Police Department, has been recognized by the National Association of School Resource Officers (NASRO) as a National Model Agency.

The award is presented to agencies that exemplify the NASRO Triad Concept and the training, policies, and standards that ensure professional service to the school community.

Last year, only nine SRO departments from across the United States received the honor.

NASRO's Triad Concept divides SRO responsibilities into three components: teacher, informal counselor, and law enforcement officer. According to NASRO, training law enforcement to educate, counsel, and protect school communities equips its members to lead by example and promote a positive image of law enforcement to school children and school communities.

The NASRO Model Agency Award follows two years of work on the part of MISD and the police department to imple-

ment increased levels of training and professional development for school resource officers.

The process began with an initiative for every MISD school resource officer to complete the training required to become SRO Practitioners. The National SRO Practitioner program was established as a way for NASRO, police agencies, and school districts to recognize officers who have excelled in the art of school-based policing.

Included among the practitioner qualification requirements are:

- Serving as a school resource officer for a minimum of three years
- Completing a 40-hour Basic School Resource Officer training course
- Completing a 24-hour Advanced SRO OR Supervisors and Management training course
- Completing an additional 160 hours of specialized police in-service training
- Attending at least one NASRO School Safety Conference



In 2015, the McKinney SRO unit began hosting a McKinney P.D. Teen Academy each summer for middle school students. The week-long basic and advanced academies give students an inside look at all facets of law enforcement while promoting leadership and teamwork. Each class of McKinney P.D. Teen Academy participants spends a half-day with members of the McKinney P.D. SWAT team at the department's training range.

- Submitting a formal application with supporting documentation

The district's SRO program currently includes 14 officers and a supervising sergeant. Two SROs are assigned to each of the district's high school campuses along with one at each of the district's five middle schools. At the start of the 2018-2019 school year, two new SRO positions were added to serve the district's elementary schools.

The vision for the SRO program has always been that officers on MISD campuses would perform a role that extends beyond keeping students safe.

"School resource officers are in a unique position to promote a positive relationship between the police department and the community through the interactions they have with students every day," said Cody Cunningham, MISD chief communications and support services officer. "Our intent for the SRO program, in addition to the primary goal of keeping students safe, has been that school resource officers would be seen as members of each campus community, getting to know our students, and through that influence, promote positive attitudes and behavior at our schools."

Glen Oaks Elementary Principal Molly Hovan has witnessed that philosophy in action this year with Officer Teresa Lynch, who makes regular visits as she patrols the elementary schools under her watch.

"Officer Lynch has integrated herself into our school," said Hovan. "I might see her standing under the clock greeting students in the morning; she might go to some of the different classrooms. And, the kids see her on a regular basis, so there isn't any alarm. They don't ask, 'Why is the police officer here? What's going on today?' So, they really see her in the true sense of the word: she's a resource to our school versus just 'an officer on our campus.' So, that's made a big impact. She's good at getting on our students' level, and it really has softened the barrier between the kids and the SRO and our students just seeing her as part of our school."

Officers Logan and Martin serve at McKinney High School and have earned the respect and affection of students and staff alike for their approach to school-based law enforcement.

"The most important topic that we talk about with our teachers is building relationships with our students," said MHS Principal Alan Arbabi. "And, we don't have to look far on our campus to see a great model of that—and that would be our SROs. They engage our kids when we need them the most, during the most stressful times, but also during the times that are not stressful. The kids feel very comfortable speaking to them about things that are not necessarily happening at school, but at home. And, that gives our SROs an opportunity to use their wisdom to guide kids through that. So, that to me is the best part of it. Wherever they are in the building, students come up to



Officer Teresa Lynch stopped by Valley Creek Elementary in November to help students learn about and celebrate community helpers.



Officer Vincent Roberts (left) and Officer Bryant Bailey (right) serve at Faubion Middle School and McKinney North High School.

them and high five them. For some students, that is going to be their first positive relationship with a police officer, so building that relationship is a huge part of their success and our success working together."

Along with additional officers and enhanced training has come a heightened emphasis on communication and collaborative crisis planning between the district and police department. For the past two years, MISD has hosted "tabletop" exercises that have brought together MISD administrators and top officials from the police department, the McKinney Fire Department, and the Office of Emergency Management to discuss responses, roles, and responsibilities in hypothetical scenarios.

Another important feature of the SRO program is TIP411, a service that makes it easy for students to contact SROs anonymously to report a crime or suspicious behavior on their campus or in the community. Since its implementation in 2013, the program has been a resounding success. From the time school ended last May, SROs have logged more than 2,000 communications with students through TIP411.

Since 2015, the McKinney police department has hosted a summer Teen Academy for MISD middle school students that gives them an inside look at all facets of law enforcement while engaging students in leadership and teamwork activities. For some students, it's a way to test the waters of

law enforcement and find out if the high school criminal justice program is for them. Others come to the academy out of curiosity. For all, it offers another opportunity for SROs to connect with students in a meaningful way.

"The whole purpose of this academy is to take some of the good kids that are in our schools and make them better over the summer," said Sergeant Dave Rodriguez. Rodriguez supervised the SRO unit for five years and played a significant role in the Teen Academy and the NASRO recognition. "Hopefully, they'll take away some leadership attributes from our academy and put those to work in our campuses."

Last spring, the district and the police department began the year-long process to apply for the NMA designation and received notification in February that the program would be honored in June in Pigeon Forge, Tennessee at the NASRO National Conference as one of a small number of agencies to be recognized.

"We really are happy with where the SRO program is," said Cunningham. "With any program or department there is always room for ongoing improvement, and that's definitely our outlook. But, I think this award just adds public recognition to what we already knew—that we have great SROs who are highly trained and care about kids. And, ultimately that's who this is for and the reason we all do it." ★



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DOING GOOD, WELL: PRACTICAL LEADERSHIP

By **Craig Pederson**

Instructor, Executive Master in Public Leadership Program,
LBJ School of Public Affairs, The University of Texas Austin

A friend of mine who is a councilmember in a mid-sized Texas city asked for my input on hiring a new city manager. He was focusing on proven experience, a good start. I challenged him to go further and deeper: to add more foundational attributes and demonstrated accomplishments to his focus on experience. What were the candidates' judgments in practice? What was the extent of their emotional intelligence? Were they effective in creating relationships with staff, bosses, stakeholders, and peers? How sophisticated is their political savvy? What were the candidates' track record of success in demonstrated performance?

What I was trying to get at was challenging my friend to think in terms of the broad attributes of successful organizational leaders and identifiable results. What is the range of skills, competencies, attributes, and values that the best leaders possess? What were their results?

Why did I take this view? How is it different from traditional hiring practice and why might it be better? To answer these questions, one must understand leadership effectiveness in practice.

For over a year, I have been involved in a focused exploration of what defines effective public and nonprofit leadership. I am writing the book I wished I had when I was a new leader and that I wish my students at the LBJ School of Public Affairs had. This project builds on forty years of personal experience, lots of reading, but most importantly, interviews with quite a few leaders whom I and others identify as successful. Because I am now involved in the training and education of leaders, I wanted to understand successful leadership in practice and how to assist others to achieve that goal. What I found both surprised and gratified me. It also showed a wide gap between the popular perception of effective leaders and the reality.

While I interviewed a lot of very strong leaders and included many of their experiences in my book, I ended up focusing most on four individuals from three public and nonprofit organizations at the state and local levels. Stan Farmer is the city manager of Horseshoe Bay. Bill Kuntz is the former executive director (ED) of the Texas Department of Licensing and Regulation, and Brian Francis is his former deputy ED and the current ED. Susan McDowell is the longtime leader of Lifeworks, an organization in Austin that serves the most challenging end of the at-risk youth spectrum. Each organization is at a different place in their evolution. Stan is trying to elevate a well-performing city to an even higher level (the story of his city's journey is in a companion article that follows this). Bill and Brian took over an organization that was struggling to achieve its basic mission and turned it around. Susan was the second ED of a recently constituted organization that was created from four previous organizations and, which today, is regarded as an exemplary entity.

Each of these individuals are smart, with a strong sense of the work of their organizations: they know the business of their businesses. But those attributes are a given and do not make them stand out from many peers. What

sets them apart is their combined focus on mission, results, underlying values, and the inclusive nature of what they do and how they do it. Their ambitions are for the success of the organization's mission and to be better in how they achieve that success. They are passionate for that success, and not for their own self-aggrandizement. They combine passion for mission with a focus on results – and results as reflected in positive impacts on clients, customers, or citizens. They are not satisfied that they have achieved success unless they can demonstrate it, so they focus on *measurable* results. They deeply engage the involvement of their employees by integrating values that drive their passions in service and performance. Each is a highly authentic leader – and it shows. They are innovative and willing to change. They are engaged in these key aspects of their organizations not as accountants monitoring data, but as leaders engaged in understanding information and working with their staffs to insure values, culture, people, performance and the other elements of effectiveness are in place and improving over time.

All three of the organizations these leaders represent have been built around values and a culture that supports those values. The values are surprisingly common among them:

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each features openness/transparency, customer/client service, performance/accountability, continuous improvement, and collaboration/teamwork. The sense of collaboration and teamwork is broad and inclusive. Susan McDowell described her interactions with staff, peers, boards, funders and other stakeholders as engaging with an "ecosystem of support." Her organization draws on this broad engagement to learn, improve, and achieve its goals. The other organizations do so as well.

The best leaders are effective communicators, both internally and externally. They can explain complex issues and plans of action to their employees, stakeholders, and the media. They are creative about how they communicate, using a variety of tools, approaches and methods. These leaders do this and they do it well.

Each of these leaders and the other excellence leaders I interviewed excel at the two most important underlying factors associated with excellent leadership: emotional intelligence (EQ) and judgment. Their EQ starts with knowing themselves: their strengths, weaknesses, and hot buttons. It extends to their relationships with others and their ecosystem of support. It enables them to take feedback, learn to do better, and create partnerships that further foster success. Their EQ extends to how they embrace others in their mission and create an environment that allows for candor, honest reflection, and improvement.

The leaders make sound judgments in strategy, people, politics, and in crisis management — the key areas of public sector leadership judgment. They know that a judgment is not "made" until it is effectively implemented. They make good people decisions and have surrounded themselves with teams of other leaders that buy into the mission, values, culture, and the processes to achieve them. They know leadership is a team sport. They are demanding of the people they surround themselves with and supportive. These leaders expect a lot but give a lot. They work with others to identify strategy and implement it. They create strong politically important relationships, and deeply understand the politics important to their entities and key stakeholders.

Finally, in what is perhaps the most sophisticated of the competencies they and other good leaders possess, they combine competencies wisely in their plans of organizational improvement. This "meta-competency" is the skillful inclusion of the right elements to achieve a goal. They don't overwhelm staff who implement the plans with too much complexity. They are able to identify what is essential to

do, not all that is possible to do. There is virtue in simplicity. Another excellent city manager, Brenda Eivens of Cedar Park, agrees that this is an essential approach. Complicated solutions don't work. Busy workers and busy leaders need understandable approaches that can be readily implemented.

The best leaders work in the present with an eye toward the future. The demands on future organizations will be even greater than on today's cities and towns: better, faster, and cheaper results. Technology, but also broad societal expectations are changing. Leading change effectively will be in even greater need. Adaptive leadership, which facilitates openness, inquiry, teamwork, and inclusion of multiple perspectives, will be essential. The best leaders do this now. In the future, all organizations will need this capacity.

What the best leaders know is that helping others become better leaders is part of their job. Each of these highlighted leaders focuses on bettering themselves and developing others. All excel in this practice. Bill Kuntz is an award-winning mentor and highly regarded by those with whom he works. He took his mentoring to the agency-wide level and created sophisticated and practical ways to pass on information about needed skills and competencies. One way was through a leadership book club. Stan Farmer conducts a weekly staff meeting with his department heads where they focus on important and long-term issues. I participated in a candid question-and-answer session at one of these meetings about some of my research findings. It was a healthy – and challenging – discussion. I thought it terrific, and we all benefitted.

While these leaders all do a good job developing their leaders, I expect that none would be entirely satisfied with the resources available to their organizations to do so. One of the biggest conclusions I reached after my research effort (and 35 years as a manager and leader in the public and private sector) is that we grossly underfund leadership development. There are exceptions – the United States Army is one I studied – but they are not the rule. If we want better leaders in Texas cities (and really everywhere), we need better leadership models – the "what" and "how" of leadership. Then we need to study the best models, take that understanding and practice it as leaders. Leadership is learned best by thinking and doing, done together.

The practical examples of effective leaders in action working at the local levels can be an important part of that educational effort. ★



ONE LOCAL GOVERNMENT'S LEADERSHIP JOURNEY

By **Stan R. Farmer**, City Manager, City of Horseshoe Bay

The Journey for Horseshoe Bay started three years ago. At that time, the leadership team for the City of Horseshoe Bay committed to becoming a great city government, what we termed a High Performance Organization (HPO). We already are an above average city government. For those interested in how your city can raise the bar of its performance, this might be one good source to reference prior to starting your journey. Not all performance improvement journeys are created equal. Therefore, this information is not intended as a cookie cutter tool for all desired improvement initiatives. Instead, it is one humble organization's trip that might be illuminating for another organization possibly considering embarking on a similar journey.

The ultimate goal of our journey is to provide the highest level of (1) customer service, (2) products and services, and (3) financial performance to Horseshoe Bay's citizens and visitors—the stakeholders external to the organization. The answer to *"What is high performing for us?"*

There are two main pillars of HPO as we define it. One pillar is creating an engaged work culture based on shared values and behaviors. The second pillar is creating a common vision that ties directly to successful work performance. The leadership team chose very deliberately to address these two pillars in sequential order of culture change and then vision to performance improvement.



We subscribed to the quote attributed to the famous Peter Drucker, "Culture eats strategy for breakfast." The right culture is key to unleashing the unrestricted efforts of an engaged workforce so that excellent work performance improvements can be achieved and thrive. Organizations often begin system and structure process improvement efforts by layering impressive performance improvement ideas on top of a poor culture. Successful performance improvement tools and concepts are based upon healthy and positive mindsets and behaviors—the underpinnings of employee engagement. This culture is also necessary to take on the heavy lifting needed to achieve sustained performance goals. The leadership team recognized this very early.

These two parts while representing different elements are intricately linked in our improvement plan. Neither workforce culture nor performance improvements alone can achieve our goal. Also, each has to be developed and nurtured as we move forward. Although the City of Horseshoe Bay had very good logic for starting with a focus on culture, it was and still is very aware that when it shifted focus to performance improvements it was not the end of culture improvements.

What does HPO mean in practice? HPO is a disciplined approach exercised at all levels of the organization to

expose the organization's current state in relation to its potential to improve performance. It focuses attention on clear understanding, implementation, and measurement of the City's mission, vision, values, strategies, programs, and outcomes. The best organizations live values that are evidenced by their culture that drives results. We strive for a mindset in individuals and in our culture of continuous improvement through greater employee engagement. This culture values performance always striving for even greater results.

We also like to say in our organization, "*HPO is a journey, not a destination.*" Just when we think we see the promised land of HPO, it will never fully materialize. Getting better never ends.

Every Wednesday at 10:00 a.m., the leadership team has a standing meeting to assess progress and discuss next steps. At the first meeting in 2016, the topic discussed was whether to become a great organization or be fine settling for just a good or above average organization. We decided we were not a high performing organization and that we wanted to become one. We have completed the culture phase of our plan (subject to ongoing activity) and are now engaging in the performance improvement phase. We have demonstrated success along the way. Our employees have embraced the culture change we sought. Employees led the effort to define our vision in concert with the plan. They are deeply engaged in the efforts to improve results.

We developed our plan and approach linking values, culture, and performance based on our understanding of the needs of Horseshoe Bay and what we found in our research that works. It has been gratifying to learn that what we are doing mirrors Craig Pedersen's research and conclusions (see preceding article) about what other high performing organizations and their leaders do. They too, align values, culture, and performance as we have done and continue to do. They build on the mutually beneficial impacts of supportive values and culture to assist their performance goals. They also recognize this is a journey that never ends but leads to better and better results.

I hope to be able to share more of our story as we progress in our journey to become a high performing organization. I encourage you to take on this challenge as we did. It is a difficult effort, but one full of emotional and tangible rewards.★

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For more information, contact Principal HR Consultant Joshua Smith at jsmith@cpshr.us.

HOME-GROWN ETHICS

By **Paul A. Hofmann**, City Manager, City of Bellaire

Almost 40 years ago, way before anyone heard of the Bush School of Public Affairs, Texas A&M University (TAMU) offered a Master's of Public Administration (MPA) Program where I was a student from 1981-1983. In 1981, George H.W. Bush was vice president, Kyle Field didn't seat more than 100,000 people, and going to the Cotton Bowl meant something.

So, yes, I am an old guy. Miraculously, I'm not so old that I can't remember stuff I learned as a student in the TAMU MPA program. Lessons I still lean on include what Max Weber said about the dysfunction of bureaucracies, what Aaron Wildavsky said about budgets and incrementalism, and what my professors said about the "politics and administration continuum."

Back in the day, I was challenged by a couple of those professors to consider that my chosen future profession – city management – wasn't a *profession*. At least, not in the same way that medicine, law, or engineering are professions. Ironically, those professors said they could teach me stuff useful to my future career, but that there was no standard of practical or critical knowledge that city managers must obtain to be members of our "profession."

I've been a member of the International City County Management Association (ICMA) for more than 35 years and have the hockey puck-shaped paper weight that says so to prove it. While I often ponder what my professors said about my future profession, I'm not troubled by it.

Those professors told me that my future jobs would entail "muddling through" (Charles E. Lindblom, *The Science of Muddling Through*, Public Administration Review, Spring 1959) the challenges and opportunities associated with bringing rational, consistent recommendations and policy advice to a governing board of elected officials. This is why our professional organization's logo depicts the successful insertion of a square peg into a round hole. This is why most lawyers, doctors, engineers and other professionals whom I have come to know over the years tell me things like "gee, I could never do *your* job."

We live and work in a target-moving, line-blurring,

grey-shading glorious mess that is local government administration. That's why we cling to our ethics. None of us approach strategic planning, budgeting, communicating with our councils, engaging with the public, and work-life balance the same way. Our backgrounds, circumstances, personalities, and communities are all different.

Occasionally I'm asked what qualifies me to be a city manager. I could say my MPA or my 20 years of serving as a city manager, assistant city manager, or city administrator in the great State of Texas. But it's not those things. What qualifies me is my devotion to my profession, and commitment to the code of ethics prominently placed on my wall and in my heart. I want people to know of my commitment to ethics, and have confidence in their local government because of that commitment.

ETHICS AND OTHER CITY EMPLOYEES

The majority of city employees are not members of ICMA or the Texas City Management Association (TCMA) which means they are not professionally connected to the ICMA/TCMA ethical code. So, how do we lead them through the murky forest of local government decision making?

One approach could be to have employees read classics of public administration theory. Another could be to require that all city employees swear allegiance to our code of ethics. While I want them to behave ethically and respect the roles of elected officials, I don't recommend either approach. Many of them won't relate to all twelve tenets, and I don't think it's fruitful to pick and choose.

But I want city employees to know that:

- I, and other TCMA members, are bound by an ethical code;
- They need to be committed to public service;
- Public service requires a deep sense of humility, courage, and self-motivation; and
- I have their backs.

OUR APPROACH HERE IN BELLAIRE

I became the Bellaire City Manager a little over five years ago. An early conclusion was that people around here didn't really understand my job.

Houston-area city managers have a challenge that's not shared by city managers in other Texas metropolitan areas. In my view, Houston's strong mayor form of government tends to dominate what people think is their form of gov-

ernment, even if they live in a city with the council – manager form. I believe this general misunderstanding of who does what at the local level impacts how local elected officials see their role.

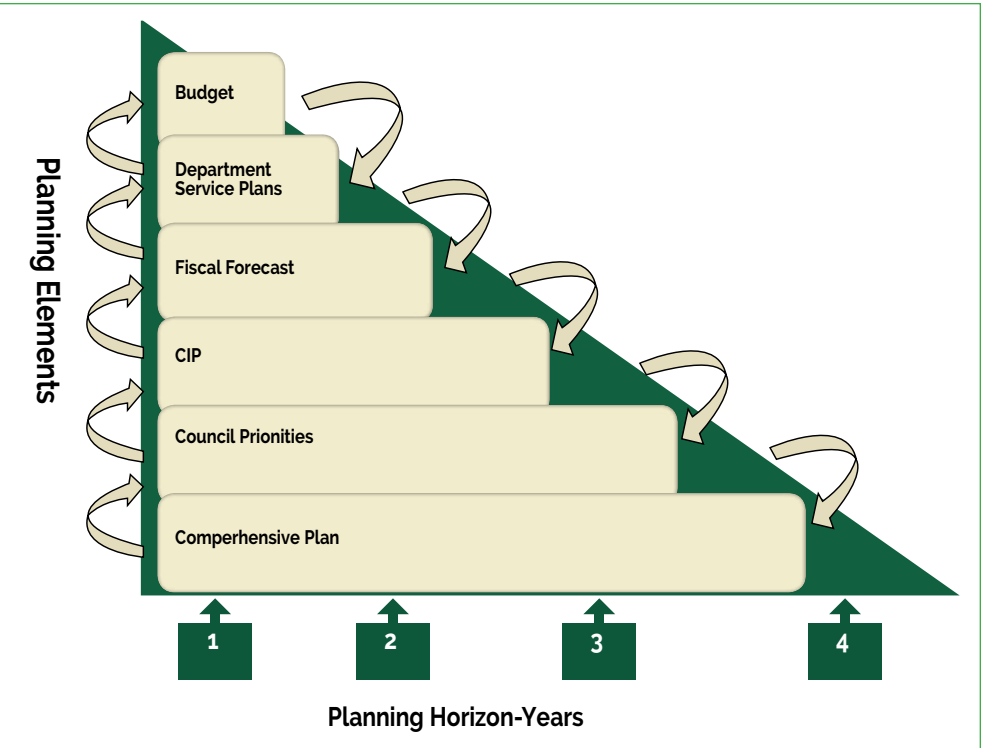
My impression of my new team was that they were comfortable letting the policy makers manage the details. I'm not threatened by or opposed to council members getting into the weeds, as long as we don't step away and abdicate our responsibilities. City managers have a duty to provide facts and advice, and we need our team to support that effort. We also have a duty to keep the community informed which is necessarily a group effort.

In addition, I perceived an occasional willingness of department directors to make policy or budget proposals that didn't connect with existing council direction.

We focused on inserting city management professionalism and ethics into the Bellaire organizational culture. Fortunately, I didn't need to create a culture of hard work or responsiveness. Nor did I have to convince people of the importance of having an ethical standard. New to the discussion was the idea that having an ethical standard compels us to bold and decisive action.

THE BELLAIRE STRATEGIC PLANNING MODEL

City of Bellaire
Strategic Planning Model



The Bellaire Strategic Planning Model is an attempt to explain the linkages between the comprehensive plan, council priorities, the City's capital plan, fiscal forecasts, department service plans, and the annual budget. The comprehensive plan is foundational, broad, and long-term. The other elements of the plan

are increasingly more focused, with shorter planning horizons.

An important part of the model's explanation is the city manager's role. A point of emphasis is that the city council has purview of the outcomes. The city manager focuses on the decision-making process, and bases policy advice on existing and city council adopted elements of the plan which is consistent with the tenets of our ethical code. I don't decide policy, but may point to existing policy. I don't make policy, but point to policy consequences as part of my ethical obligation.

Strategic Planning and Role of the Department Director

Understanding the Strategic Planning Model internally helps clarify the ethical responsibilities of department directors. Department directors are focused on implementing and reviewing the comprehensive plan. They are now responsible for understanding council priorities and supporting those priorities in their service plans and budgets. The chief financial officer is responsible for understanding and presenting the variables and assumptions behind the fiscal forecast, so that council can determine the appropriate tax and utility rates and expenditure levels.

Understanding and implementing the Strategic Planning Model both empowers and restricts department directors. They are encouraged to make strong, bold, and clearly-worded staff recommendations, in alignment with established council policy direction. They became more constrained to operating outside of established council direction, consistent with our ethical standard.

Employee Commitment Statement and Evaluations

We inserted ethical professionalism into how we evaluated employee performance. The human resources director tasked a team of employees with the responsibility of creating an Employee Commitment Statement. Today, we have every new employee sign the statement as a condition of employment – it's a beautiful alignment between the commitment statement and our code of ethics.

City of Bellaire

Welcome to the City of Bellaire Team! We are pleased you have chosen to join us in service to the citizens of this great City. Being a premier public sector employee requires a public servant conviction as well as public servant behavior. The Employee Commitment Statement below was developed to clearly communicate what this means, and our expectations of you. As a member of a premier employer, our employees put this commitment into practice every day as City of Bellaire ambassador and diligent public servants.

Employee Commitment Statement

In my capacity as a City of Bellaire Employee,
I pledge to do my part to maintain and enhance:

- **Responsiveness** –having an enthusiastic, pro-active approach to serving our internal and external customer base;
- **Customer Service** – committing to the delivery of efficient and cost effective services in a courteous and caring manner;
- **Competence** – understanding the importance and responsibility of performing your role in the organization successfully, efficiently and ethically;
- **Safety Awareness** – being cognizant of your environment, and how it impacts the overall well-being of yourself and others;
- **A Positive Environment** –fostering an open-minded approach to serve and support the organization and the community;
- **Teamwork** –maintaining respectful and collaborative cooperation among all employees and others in the course of performing our jobs.

Established 2015

Communications with Employees

New employee orientations, weekly staff meetings, monthly letters from the city manager, quarterly extended staff meetings, and annual evaluations are all opportunities to discuss the meaning of the employee commitment statement.

The theme of these messages is that the Assistant City Manager and I are committed to professional ethics, that I expect the same humble public service ethic from them,

and that I will always have their backs.

Is It Working?

One test of whether we've impacted the culture is whether our focus on customer service and ethics has withstood the test of new people in the mix.

New to the organization after the inception of these initiatives are the assistant city manager, chief financial officer, public works director, fire chief, development services director, and assistant directors of library, finance, public works, and assistant police chief.

We are a long way from perfect, but yes, it's working. This team is committed to the ideals of professional public service. This team has been confronted with tragedies, storms, controversies not of our making, funding challenges, heavy workloads, and very high expectations.

Key to our success is our core belief that we are part of a team, and that teammates help and trust each other. That is at the heart and soul of an ethical culture. ★

The poster features a stylized bridge over a city skyline, with a hand holding a pen drawing the bridge. The text reads: "Texas Public Owners Conference", "THE BRIDGE OVER TROUBLED WATERS", "Project Delivery to Operations", "Date: August 8-9, 2019", "Location: Fort Worth, TX". Below the bridge, there are two columns of topics: "THURSDAY, AUG. 8" and "FRIDAY, AUG. 9".

THURSDAY, AUG. 8	FRIDAY, AUG. 9
Topic 1: Alternative Contracting: JOC and Design-Build Deliveries	Topic 3A: Tools and Technologies from Project Delivery into Operations - Design and Construction Technologies
Topic 2: Dealing with Contracting in a Tight Texas Industry	Topic 3B: Tools and Technologies from Project Delivery into Operations - Coordinating Operations

At the bottom, there is a logo for "ILinCP" and contact information: "(512) 263-5521" and "www.i-lincp.org".



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FORMATION AND PROCEDURES OF THE TEXAS MUNICIPAL LEAGUE NOMINATING COMMITTEE

Editor's Note: *The following information describes the TML nominating procedures. In accordance with those procedures, this information must be published in Texas Town & City magazine.*

The TML Nominating Committee shall be formed and shall conduct its activities under the following TML Board-adopted policies.

Formation of a Nominating Committee

During the June meeting of the TML Board of Directors, the TML President shall appoint a TML Nominating Committee to be made up of not less than five nor more than seven members of the TML Board of Directors, all of whom shall be elected officials.

The most immediate TML Past President shall chair the Nominating Committee, and two other Past Presidents shall be appointed to the Committee.

The TML President shall attempt to make appointments in a way that balances the Nominating Committee with regard

to gender, ethnicity, geographic regions, city size, and other relevant factors.

Following the June meeting of the TML Board of Directors, all Board members and all member cities shall be notified of the composition of the Nominating Committee and of the procedures to be used by the Committee. Specifically, such information shall be printed in the issue of *Texas Town & City* magazine that is published in July.

City officials are hereby informed that the 2019 TML Nominating Committee is made up of the following TML Board members:

- TML Past President Holly Gray-Moore, Mayor Pro Tem, Roanoke – Chair
- TML Past President Leonard Reed, Mayor, Willis
- TML Past President Henry Wilson, Mayor, Hurst
- Dee Margo, Mayor, El Paso
- Robin Mouton, Mayor Pro Tem, Beaumont

- Doyle Robinson, Mayor, Panhandle
- Daphne Tenorio, Councilmember, Kyle

Procedures of the Nominating Committee

A candidate for TML President-Elect must be: 1) an elected city official of a member city; 2) a member of the TML Board of Directors; and 3) shall declare his or her candidacy by completing a Candidate Data Form and mailing a sufficient number of those forms to:

-Nominating Committee-

c/o Bennett Sandlin, Executive Director
Texas Municipal League
1821 Rutherford Lane, Suite 400
Austin, Texas 78754

Candidate Data Forms may be obtained from the TML Executive Director.

A candidate for TML President-Elect must submit seven copies of the Candidate Data Form along with any attachments to that form. That material must be mailed and must be postmarked prior to September 1. No material may be faxed or emailed. The TML Executive Director shall distribute the submittal materials to Committee members.

The Candidate Data Form submitted by a candidate for TML President-Elect must include a copy of a resolution of support from the candidate's municipal governing body and may include a biographical sketch or résumé.

If there are two or more candidates for the position of TML President-Elect, the Nominating Committee shall interview the candidates no sooner than September 1 and no later than the day on which the Nominating Committee makes its report to the TML Board of Directors during the TML Annual Conference. The specific times and places for such interviews shall be coordinated by the TML Executive Director. The TML Executive Director shall not be present during deliberations except at the unanimous request of the Nominating Committee members present.

Members of the Nominating Committee may seek candidates for TML President-Elect prior to September 1.

All persons who are eligible to run for TML President-Elect shall be informed that the TML Nominating Committee will base its decision on the candidates' qualifications and interviews, and not on the basis of campaigning directed to the

Nominating Committee, the TML Board of Directors, other city officials, or member cities.

If, at the time of the June meeting of the TML Board of Directors, the position of President-Elect is vacant and the TML President is ineligible for another term as TML President, these procedures of the TML Nominating Committee shall also govern the nominating process for the position of TML President.

Report of the Nominating Committee

The Nominating Committee shall make a written report to the TML President prior to the time the Committee will make its oral report to the TML Board of Directors at the TML Annual Conference. That meeting shall be an open meeting and shall be listed in the Annual Conference Program.

The Nominating Committee shall nominate one Board member for TML President and one Board member for TML President-Elect.

Action on the Nominating Committee Report

Following the oral report of the Nominating Committee, the position of TML President shall be considered first and separate from the position of TML President-Elect.


Nominations from the floor shall be allowed. Three TML Board members must second any nomination from the floor for either TML President or TML President-Elect. A TML Board member may nominate himself or herself or may second his or her nomination. A nomination from the floor does not require the suspension of any rules of procedure.

If an election is contested, each candidate may address the TML Board of Directors for no more than three minutes. No other person may speak on behalf of a candidate.

If an election is uncontested, the vote shall be by voice vote.

If an election is contested, the vote shall be by written ballot. In that case, the TML President shall appoint two disinterested persons from the TML Board or staff to act as tellers to count the ballots.

If an election is contested by three or more candidates, the candidate who receives the most votes shall be declared the winner. There shall be no run-off, except in the case of a tie for the most votes. ★



THE TEXAS ASSOCIATION OF MAYORS, COUNCILMEMBERS AND COMMISSIONERS BOARD SERVICE INFORMATION

The Texas Association of Mayors, Councilmembers and Commissioners (TAMCC) is an affiliate organization of the Texas Municipal League (TML). The membership of TAMCC includes all mayors, councilmembers, aldermen, commissioners, and other governing body members serving in TML member cities. The purposes of TAMCC are to: (1) promote the proficiency of elected municipal officials; and (2) encourage and improve the cause of good and efficient municipal government in the State of Texas.

TAMCC is governed by a six-member board of directors, which includes the president, first vice president, second vice president, immediate past president, representative to the TML Board, and the TML executive director or his designee.

The president, first vice president, and second vice president serve terms of one year each, beginning immediately upon adjournment of the annual TML-TAMCC Elected Officials' Conference. The first vice president automatically becomes president, and the second vice president automatically becomes first vice president at the conclusion of their terms of office.

The representative to the TML Board serves a term of two

years, with a maximum of four years for any one person. The term begins immediately upon adjournment, during odd-numbered years, of the TML Annual Conference and Exhibition.

Those interested in being nominated must meet the following criteria: (1) be an elected mayor, councilmember, alderman, commissioner, or any other member of an elected municipal governing body, currently holding office in a TML member city; (2) have a minimum of two years of elected service; and (3) demonstrate an active interest in TML and TAMCC activities.

The position currently available for nomination is second vice president taking office upon adjournment of the 2020 TML-TAMCC Elected Officials' Conference.

If you would like to be considered for nomination and anticipate that you can fulfill the multi-year commitment as a TAMCC board member, please complete the form on page 39 and return it to the TML office no later than 5:00 p.m. on Friday, August 23, 2019.

The TAMCC Nominating Committee will present recommendations for this position at the TAMCC Business Meeting on Wednesday, October 9, in San Antonio. ★

The Texas Association of Mayors, Councilmembers and Commissioners Board Service Interest Form

Open Position for 2020-2021; Second Vice President

Name _____ Title _____

City _____ Current term of office expires (year) _____

Phone _____ Email _____

TML region involvement _____

TML involvement _____

TMLI recipient (please list award years) _____

Civic/service organization involvement _____

Short biography (or attach separate sheet) _____

Please return your completed form by 5:00 p.m. on Friday, August 23.

TAMCC Nominations

Attn: Cheryl Ribich

1821 Rutherford Lane, Suite 400; Austin, TX 78754

Or scan and email your form to cheryl@tml.org

VIRTUAL PRESENCE FOR LEADERS

By **Carol Kinsey Goman**
Speaker, Author, and
Executive Coach



Being perceived as a leader is the essence of leadership presence. While most of my coaching focuses on helping leaders enhance their presence in face-to-face encounters, I also realize that a different set of skills is required for projecting leadership presence when communicating virtually.

Communication mediums run a spectrum from "lean" to "rich." A lean medium transmits less information than a rich medium. If you are emailing, texting, or typing in a chat window (lean mediums), there is nothing that gives added clues to the meaning of what you write. A communication channel becomes richer as you add human elements. Telephone calls and teleconferences give listeners access to vocal clues. Videoconferencing allows participants to view facial expressions and hand gestures. Whether in an email, over the telephone, or on a video conference, you can project leadership presence.

Email

A recent report estimated that the average business person gets over 100 emails a day. Here are five ways to break through the clutter:

1. Start with a specific subject line

Using a generic subject line like: "What do you think?" or "Checking in" has much less impact than a specific: "Need suggestions for the meeting agenda by end of the day."

2. Make your message clear and concise

Brevity makes a positive impact. People are more likely to read short, concise emails than long, rambling ones, so make sure that your emails are as short as possible and try adding details in bullet points.

3. Proofread your message

Before you hit "send," take a moment to review your email for spelling, grammar, and punctuation mistakes. Your email messages are as much a part of your professional image as your body language. Don't diminish your leadership presence by sending out a message that contains typos.

4. Wait 24 hours when you're upset

It's never a good idea to send an email when you're angry or in the throes of any strong negative emotion – although we've all done this. If you compose an email in anger (or frustration or disappointment), wait a day before sending it. Then read it over and see if it reflects how you want to be perceived. (Does it enhance or deplete your leadership presence?) In almost all cases, you'll either re-write or delete the original.

5. Don't wait to say "thank you"

Another place where timing matters is whenever you send a "thank you" email. But in this case, the sooner, the better. Don't wait days or weeks to express your appreciation. Do it right after the conversation or interaction — and you'll greatly increase the impact of your positive comment.

Telephone Calls

On a telephone call, it's all in your voice. The words you choose, your speaking pace, volume, tone, inflection, pauses – all communicate their own messages. When you want to sound like a leader . . . here are my top four tips:

1. Lower your vocal pitch.

The quality of your voice can be a deciding factor in how you are perceived. Speakers with higher-pitched voices are judged to be less empathic, less powerful, and more nervous than speakers with lower pitched voices.

One easy technique to use before joining the conference call involves putting your lips together while saying "Um hum, um hum, um hum." Doing so relaxes your voice into its optimal lower pitch.

2. Stay focused

You may think you are fooling people when you check your messages or file your finger nails during a teleconference, but you are not. People can hear the "disconnect" in your voice and it reduces your leadership presence.

3. Sit up and smile

Sitting up, squaring your shoulders, and keeping your head straight gives you vocal energy – and smiling puts warmth in your voice.

4. Build virtual trust

Use inclusive language – "we," "us", "together" – as much as possible.

- Take a few minutes for "small talk" at the beginning of the call. The more you and your caller get to know one another on a personal level, the more likely you are to trust each other.
- Instead of just reacting to what someone says, acknowledge him or her first by saying "That's an interesting point you just made . . .", or "What you said reminds me of . . ." or "Building on your idea about . . ."

Video Conferences

In video meetings, you add richer communication cues by offering a partial view (usually from your chest to the top of your head). And what people see is often more impactful than anything you say. Here are for things to remember when on camera:

1. Look like a leader

It takes less than seven seconds for people to make judgments about your confidence, competence, professional status, and warmth. While a face-to-face meeting gives you added opportunities to create a positive impression (the way you enter the meeting room, shake hands, and so on), on the screen, it's all about your visual presence. So be sure your grooming and wardrobe send the right message.

2. Start off with the right attitude

Regardless of how tiring or frustrating your day may have been, before you go on camera pull your shoulders back, hold your head high, take a deep breath, and smile. Think about showing up as your "best self" – exuding ease, confidence, and warmth.

3 Make eye contact

Eye contact is hugely important in nonverbal communication. If a speaker actively seeks out eye contact, he or she is judged to be more believable, confident, and competent. In person, this involves looking directly in someone's eyes. In a video meeting, you have to maintain eye contact by looking into the camera when you talk and at the screen when others are speaking. It's a good idea to lower the monitor camera a little so that you don't have to tilt your head back to gaze up at it. (And if you use notes, attach them at camera-eye level.)

4. Watch your gestures

If you use open gestures, you'll be perceived more positively. But be aware that too much hand movement can look jerky on screen – so slow your gestures down for the best effect. Gestures that are so large that your hands go out of view are useless, so keep your hands in the frame.

Remember, too, that regardless of how comfortable you may be crossing your arms, this gesture is almost always perceived as a sign of resistance. And, since the human brain pays more attention to negative messages than it does to positive ones, people are unconsciously on the alert for signs that something is wrong.

One final thought: As important and pervasive as virtual communication is, when it comes to projecting leadership presence, nothing beats the impact you can make in person. ★

Carol Kinsey Goman, Ph.D. is an international keynote speaker and leadership presence coach. Her "Body Language for Leaders" video course for LinkedIn Learning is their most popular – with over two million views. For more information, visit <https://CarolKinseyGoman.com>.

INSTAGRAM HIGHLIGHTS ★ CELEBRATING CITIES



@sugarlandtxgov

Great photo of the Sugar Land PD helping out Fort Bend PD this weekend at #FBISDGraduation2019 Thanks for sharing #FBISDPolice



@cityoftexascity_

Beautiful views! #mytexascity #lovetexascity #texascitytx

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- Tag us on Instagram @TLM_Texas
- Use the hashtags #MyTexasCity #CitiesProvide

We will share your photos on our Instagram account and each month we will pick the very best to showcase here. If you don't have a city or personal Instagram account, you can still participate! Email us your photos (jen@tml.org) with a brief photo description. Don't worry about cropping or editing the photo, but please make sure the photograph is crisp and clear.

Community

Texas is a great state because of our amazing cities. Our innovative towns and cities are always looking for new ways to come together as a community and stand apart from the crowd. This deserves to be celebrated, and we think that Instagram is just the place to do it.



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